

SENATE AMENDMENTS

2nd Printing

By: Wilson

H.B. No. 1281

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the operation of certain low-powered vehicles.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 551.304(a), Transportation Code, is
5 amended to read as follows:

6 (a) An operator may operate a neighborhood electric
7 vehicle:

8 (1) in a master planned community:

9 (A) that is a residential subdivision as defined
10 by Section 209.002(9), Property Code;

11 (B) that has in place a uniform set of
12 restrictive covenants; or

13 (C) [and

14 [~~(B)~~] for which a county or municipality has
15 approved one or more plats [~~a plat~~];

16 (2) on a public or private beach; or

17 (3) on a public highway for which the posted speed
18 limit is not more than 35 miles per hour, if the neighborhood
19 electric vehicle is operated:

20 (A) during the daytime; and

21 (B) not more than five [~~two~~] miles from the
22 location where the neighborhood electric vehicle is usually parked
23 and for transportation to or from a golf course.

24 SECTION 2. Section 551.403, Transportation Code, is amended

1 to read as follows:

2 Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS. (a) An
3 operator may operate a golf cart:

4 (1) in a master planned community:

5 (A) that is a residential subdivision as defined
6 by Section 209.002(9), Property Code;

7 (B) that has in place a uniform set of
8 restrictive covenants; or

9 (C) and

10 ~~[(B)]~~ for which a county or municipality has
11 approved one or more plats ~~[a plat]~~;

12 (2) on a public or private beach that is open to
13 vehicular traffic; or

14 (3) on a highway for which the posted speed limit is
15 not more than 35 miles per hour, if the golf cart is operated:

16 (A) during the daytime; and

17 (B) not more than five ~~[two]~~ miles from the
18 location where the golf cart is usually parked and for
19 transportation to or from a golf course.

20 (b) Notwithstanding Section 551.402(b), a person may
21 operate a golf cart in a master planned community described by
22 Subsection (a) without a golf cart license plate.

23 SECTION 3. Section 551.4031, Transportation Code, is
24 amended to read as follows:

25 Sec. 551.4031. PROHIBITION OF OPERATION ON HIGHWAY BY
26 MUNICIPALITY, COUNTY, OR DEPARTMENT. (a) A county or municipality
27 may prohibit the operation of a golf cart on a highway under Section

1 551.403 [~~551.404~~] if the governing body of the county or
2 municipality determines that the prohibition is necessary in the
3 interest of safety.

4 (b) The Texas Department of Transportation may prohibit the
5 operation of a golf cart on a highway under Section 551.403
6 [~~551.404~~] if the department determines that the prohibition is
7 necessary in the interest of safety.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2021.

ADOPTED

MAY 22 2021

Lately Spaw
Secretary of the Senate

By: Schwertner

H.B. No. 1281

Substitute the following for __.B. No. _____:

By: _____

C.S. H.B. No. 1281

C. Schwertner

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the operation of golf carts in certain areas.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 551.403, Transportation Code, is amended
5 to read as follows:

6 Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS. (a) An
7 operator may operate a golf cart:

8 (1) in a master planned community:

9 (A) that is a residential subdivision as defined
10 by Section 209.002(9), Property Code, or has in place a uniform set
11 of restrictive covenants; and

12 (B) for which a county or municipality has
13 approved one or more plats [~~a plat~~];

14 (2) on a public or private beach that is open to
15 vehicular traffic; or

16 (3) on a highway for which the posted speed limit is
17 not more than 35 miles per hour, if the golf cart is operated:

18 (A) during the daytime; and

19 (B) not more than five [~~two~~] miles from the
20 location where the golf cart is usually parked and for
21 transportation to or from a golf course.

22 (b) Notwithstanding Section 551.402(b), a person may
23 operate a golf cart in a master planned community described by
24 Subsection (a) without a golf cart license plate on a highway for

1 which the posted speed limit is not more than 35 miles per hour,
2 including through an intersection of a highway for which the posted
3 speed limit is more than 35 miles per hour.

4 SECTION 2. Section 551.4031, Transportation Code, is
5 amended to read as follows:

6 Sec. 551.4031. PROHIBITION OF OPERATION ON HIGHWAY BY
7 MUNICIPALITY, COUNTY, OR DEPARTMENT. (a) A county or municipality
8 may prohibit the operation of a golf cart on a highway under Section
9 551.403 [~~551.404~~] if the governing body of the county or
10 municipality determines that the prohibition is necessary in the
11 interest of safety.

12 (b) The Texas Department of Transportation may prohibit the
13 operation of a golf cart on a highway under Section 551.403
14 [~~551.404~~] if the department determines that the prohibition is
15 necessary in the interest of safety.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2021.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 23, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1281 by Wilson (Relating to the operation of golf carts in certain areas.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 608 Department of Motor Vehicles

LBB Staff: JMc, LBO, TG, AAL, MB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 19, 2021

TO: Honorable Charles Schwertner, Chair, Senate Committee on Administration

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1281 by Wilson (relating to the operation of golf carts in certain areas.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 608 Department of Motor Vehicles

LBB Staff: JMc, LBO, TG, AAL, MB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 18, 2021

TO: Honorable Charles Schwertner, Chair, Senate Committee on Administration

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB1281** by Wilson (Relating to the operation of certain low-powered vehicles.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 608 Department of Motor Vehicles

LBB Staff: JMc, LBO, TG, AAL, MB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 5, 2021

TO: Honorable Terry Canales, Chair, House Committee on Transportation

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1281 by Wilson (Relating to the operation of certain low-powered vehicles.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 608 Department of Motor Vehicles

LBB Staff: JMc, AAL, TG, MB